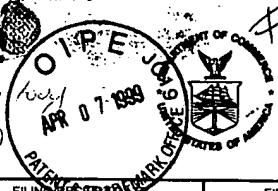


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#3
SECRET # 1-20W SAK
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/226.794 01/07/99 PERINCEI W 6460-4

8/09/99 NMP (14) 14.6

J RODMAN STEELE JR
QUARLES AND QUAY
222 LAKEVIEW AVENUE SOUTH
P O BOX 3100
WEST PALM BEACH FL 33409-0310

NOT ASSIGNED

DATE MAILED:

02/09/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity, in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 1124.00.

- ☒ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.

Applicant must submit \$ 234.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☒ 2. Additional claim fees of \$ 234 for 3 independent claims over 3.
\$ for dependent claims over 20.
\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
☐ is missing or unexecuted.
☐ does not cover the newly submitted items.
☐ does not identify the application to which it applies.
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by each omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
☐ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

C. Robinson

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

3 Available Copy

04/08/1999 00000110 09226794
01 FC:205
02 FC:201
03 FC:202
04/08/1999 00000110 09226794
01 FC:205
02 FC:201
03 FC:202

3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of DEBINSKI, ET AL

Serial No. 09/226,794

Date Filed: January 7, 1999

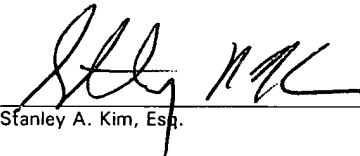


Examiner:

Group: 1643

For: METHOD FOR DIAGNOSIS, IMAGING, AND TREATING TUMORS USING
RESTRICTIVE RECEPTOR FOR INTERLEUKIN 13

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being
deposited with the U.S. Postal Service as First Class
mail in an envelope addressed to the Assistant
Commissioner for Patents, Washington, D.C. 20231,
on April 5, 1999.


Stanley A. Kim, Esq. Reg. No. 42,730

TRANSMITTAL LETTER

Box Missing Parts
Asst. Commissioner for Patents
Washington, DC 20231

Dear Sirs:

Please find enclosed for filing the following documents:

Form PTO-1533 Notice to File Missing Parts of Application;

Declaration;

Verified Statement Claiming Small Entity Status; and

Fee in the amount of \$562.00 (for filing fee and surcharge).

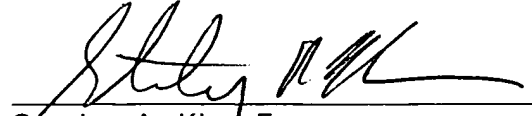
Also enclosed is a postcard to be returned to this office, evidencing receipt
of the above documents.

Please charge any underpayment or credit any overpayment to Deposit
Account No. 17-0055. This transmittal letter is submitted in duplicate.

Respectfully submitted,

QUARLES & BRADY LLP

Date: April 5, 1999



Stanley A. Kim, Esq.
Registration No. 42,730
222 Lakeview Avenue, Suite 400
P.O. Box 3188
West Palm Beach, FL 33402-3188
Tel: 561-653-5133

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d))—NONPROFIT ORGANIZATION**

Docket Number (Optional)

6460-4

Applicant, Patentee, or Identifier: Waldemar. Debinski and James R. Cosen

Application or Patent No.: 09/226,794

Filed or Issued: January 7, 1999

Title: METHOD FOR DIAGNOSIS, IMAGING, AND TREATING TUMORS USING RESTRICTIVE
RECEPTOR FOR INTERLEUKIN 13

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION The Penn State Research Foundation

ADDRESS OF NONPROFIT ORGANIZATION 304 Old Main

University Park, PA 16802

TYPE OF NONPROFIT ORGANIZATION:

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
- ☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Thomas J. Monahan (Reg. No. 29,835)

TITLE IN ORGANIZATION OF PERSON SIGNING Director, Intellectual Property Office

ADDRESS OF PERSON SIGNING 113 Technology Center, University Park, PA 16802-7000

SIGNATURE [Signature]

DATE 02/23/99